

REMARKS

This amendment is responsive to the Office Action of December 24, 2003. Reconsideration and allowance of claims 1-25 and consideration of new claim 26-28 are requested.

The Office Action

Claims 1-14, 22, and 24-25 stand rejected as being anticipated by JP2000-79080 to Tokyo Electric.

Claim 23 stands rejected under 35 USC § 103(a) as being unpatentable over JP2000-79080 to Tokyo Electric in view of Ataka, et al. (U.S. Patent No. 4,426,211).

Claims 15-21 were allowed.

The Claims Distinguish Patentably Over the References of Record

Claim 1 has been amended and now recites a floor nozzle for a vacuum cleaner. The floor nozzle includes a wheeled central housing which contacts a floor surface to be cleaned. Left and right nozzle heads are movably secured to the central housing.

Support for the amendments to claim 1 are to be found at page 6, lines 4-7 of the specification, as filed, and in FIGURES 4 and 12-14.

JP2000-79080 to Tokyo Electric (JP 79080) discloses a vacuum head for a canister vacuum. Applicants do not have the benefit of a translation of the Japanese patent, and thus are basing arguments solely on the device illustrated in the drawings. JP 79080 makes no suggestion of a floor nozzle as presently claimed. The vacuum head of JP 79080 does not include a wheeled central housing which contacts a floor to be cleaned. Rather, JP 79080 has nozzle parts which slide along a floor surface. There is no suggestion in JP 79080 of moving the nozzle head along an associated floor surface on wheels or any suggestion as to how this could be achieved while allowing the nozzle parts to pivot, as shown.

The present applicants have developed a retractable floor nozzle which can be used on a stick-type vacuum cleaner and which is readily moved across a floor surface.

Accordingly, it is submitted that claim 1 and claims 2-6 and 26-27

dependent therefrom distinguish patentably and unobviously over the references of record.

Claim 7 has been amended and now recites a floor nozzle for a vacuum cleaner. The nozzle includes a central housing. Left and right nozzle heads are rotatably secured to the central housing. Wheels are mounted to each of the nozzle heads to provide mobility along a surface to be cleaned.

Support for the amendments to claim 7 are to be found at page 6, lines 4-7 of the specification, as filed, and in FIGURES 4 and 12-14.

JP 79080 makes no suggestion of providing wheels on nozzle heads, nor how this could be achieved while maintaining the pivotable arrangement of the nozzle parts.

Accordingly, it is submitted that claim 7, and claims 8-14 dependent therefrom, distinguish patentably and unobviously over the references of record.

Claim 22 has been amended to recite a vacuum cleaner, with a nozzle head, a main handle, and a housing connected to the nozzle head intermediate the nozzle head and the main handle.

Support for the amendments to claim 22 are to be found at page 5, lines 19-23 and page 6, lines 4-7 of the specification, as filed, and in FIGURES 4 and 12-14.

JP 79080 makes no suggestion of a housing which is intermediate the nozzle head and a handle. Moreover, Ataka, et al., which is cited against dependent claim 23, does not supply the deficiencies of the primary reference. Ataka does not disclose any type of nozzle head, much less the combination of a nozzle head, a housing and a handle, as now recited in claim 22.

Accordingly, it is submitted that claim 22, and claims 23-25 dependent therefrom, distinguish patentably and unobviously over the references of record.

New claim 28 recites a vacuum cleaner including a floor nozzle including a first nozzle head and a second nozzle head connected to a base plate which contacts an associated floor surface at a location rearward of the nozzle heads. The base plate defines a vertical pivot axis. The second nozzle head is pivotable around the vertical pivot axis in relation to the nozzle. A housing is pivotally connected to the floor nozzle.

Support for new claim 28 is to be found in original claims 1 and 2, the specification as filed, and in FIGS. 12-14.

None of the cited references discloses such a vacuum cleaner. Accordingly, it is submitted that claim 28 is patentable over the references of record.

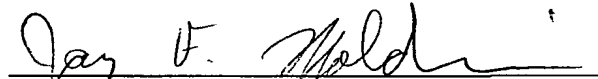
CONCLUSION

For the reasons set forth above, it is submitted that claims 1-28 (all claims) distinguish patentably over the references of record and meet all statutory requirements. An early allowance of all claims is requested.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he is requested to telephone Jay F. Moldovanyi at (216) 861-5582.

Respectfully submitted,

**FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP**


Jay F. Moldovanyi, Reg. No. 29,678
Ann M. Skerry, Reg. No. 45,655
1100 Superior Avenue, 7th Floor
Cleveland, OH 44114-2518
(216) 861-5582